

To : Legislative Interim meeting of the Law & Justice Committee

Re: BOPP and Clive W Kinlock,

Thank you for considering the case of Clive W Kinlock, a Jamaican who is ordered deported and removed from the US, by an INS judge if given parole. Mr. Kinlock has been prejudicially, cruelly, and mercilessly denied justice by this state, and by the BOPP. In spite of over a decade of clear conduct and repeated recommendations from staff as an ideal inmate, and having met and exceeded all court requirements, the BOPP flopped him for 8 years at his 2009 hearing. More about how Mr. Kinlock has been unjustly slandered and prejudicially mistreated by the court, the media, his 'alleged' public defender, and the BOPP, can be viewed at www.citizensforclive.org

The concern of many is the lack of accountability this state does not provide for this arrogant Board. Canada and the UK both provide an over sight committee to review parole decisions, or like many other states that now give mandatory parole, thus avoiding certain litigations.

We are convinced that if Mr. Kinlock's case is given a serious look, the many illegal and unjust decisions that are keeping him in prison would be exposed. It is our earnest prayer that at least some of you will take this challenge. Mr. Kinlock invites any who are interested to speak with him personally and verify with prison staff his conduct and reputation.

We pray these words of Truth have meaning for you also:

Isaiah 10: 1-2 Woe to those judges who issue unrighteous decrees, and the magistrates who keep causing unjust and oppressive decisions to be recorded, to turn aside the needy from justice and to make plunder of the rightful claims of the poor of My people... Amplified Bible

Law & Justice Interim Committee
September 9, 2011

Doc 7

Montana State Prison

Letter of Support

For: Mr. Clive Kinlock

To All Concerned:

We the Officers here at Montana State Prison, having been working very close with Mr. Clive W. Kinlock these past few months, find that Mr. Kinlock has been working very hard on his attitude and anger problems since his arrival here in this institution. Since he has been under our supervision, Mr. Kinlock has been a prime example to all inmates here, and is definitely a model prisoner. We find no cause or any reason to consider Mr. Kinlock a security risk or danger to any officer, or danger to any inmates in this institution. We consider Mr. Kinlock not only a model prisoner, but one that should be considered non-dangerous. In fact, his caring about people makes Mr. Kinlock a very special prisoner to all officers and inmates in this institution. We hope you consider and take into high consideration that we all make mistakes. Some learn from them and some are still trying to learn. Here is a list of officers who agree with this statement and who consider Mr. Kinlock to be no threat to this institution or to society. Thank You for your time.

Staff Member	Title
Henry Fischer	C/O
R. Young	C/O
D. Spaulding	C/O
H. Bandy	C.O.
A. Chalki	FSSV
Sgt. Paul Lucier	CORRECTIONAL SERGEANT
Ronald A. Gabargi	C/O
Sgt. Beach	Sgt
C.O. Ronald E. Smith	C/O
E. Chabannon	C/O
Harry	Deputy
Dave Minkovich	C/O

Clive Wellington Kinlock
#32704
700 Conley Lake Rd.
Deer Lodge Mt. 59722
www.citizensforclive.org

June 7, 2011

Re: Formal request for parole re-hearing pursuant to clear statutory provisions.

To Whom it may concern

With all due respect, and contrary to well defined statutory mandates and provisions----the board has yet to apply fair and un-bias review of facts and circumstances relevant to consideration of my conditional release.

To compound the arbitrary and prejudicial actions of the board in **March of 2009** wherein a blatant refusal existed to acknowledge and consider concise record based facts whereby rational professionalism was substituted with despotic and obtuse avoidance of fact and circumstance----I am now being denied my right to review and copy the information and misinformation contained in my parole file. My letter of request in **May** explained in detail why I was in need of review and a copy of said file for which clearly states an intent to access the courts for proper redress. Ms. Thomas responded on **May 23, 2011**, and in so doing arbitrarily denied access to my parole file with absolutely no consideration for, or response to the legal basis of my request.

I responded on **June 7, 2011** in an attempt to clarify the nature of and reason for my request, and to clarify my due process right to have the board accommodate my request to review and copy my file. Sadly I recieved a **June 13, 2011** reply from Ms. Slaughter replete with the same obtuse and cavalier position taken on **May 23rd**.

Consequently, and consistent with the provisions of **ARM 20.25.402 (5) (administrative review, reappearance, and early review)** I do hereby make this formal request for reappearance before the board premised upon the following.

ARM 20.25.402 mandates the following:

(5)(c) states that staff will screen the request and determin if the criteria for reappearance is met. Accordingly this Petitioner asserts the following: Consistent with (5)(c)(ii) I continue to maintain clear conduct with an exemplary social, work, and housing record. Consistent with 5 (c)(iii) I remain group complete, and in fact have participated in groups and educational programs "far" beyond what was ever expected of me. Consistent with 5 (c)(iv) this Petitioner has fulfilled every statutory requirement and/or condition plus some to be considered worthy of parole. Any condition or requirement beyond my present accomplishments is both unreasonable, and beyond my abilities to fulfill. Consistent with 5 (c)(v) the boards **March 2009** disposition was based on extremely erroneous information and/or misinformation. Consistent with 5 (c)(vi) there has in fact been extremely substantial change in this Petitioners personal

circumstances-----a condition for which imposes extremely substantial changes for purposes of a release plan, and for which is sufficient enough to warrant re-hearing by the board.

Consistent with the foregoing ARM 20.25.402 (5)(d) suggests that if board staff determine that an offender meets even one of the above listed criteria, they "will" refer the request for early review to the board chair of designee.

This Petitioner asserts that the foregoing criteria applies to me in an extreme sense-----and that every statement made herein can be proven beyond doubt as record based fact.

To help exemplify the fact that the boards March 2009 review and disposition was based on extremely false and misleading information, part B of the boards report suggests that its conclusions were based on nature/severity of offense "only", and yet MCA 46-23-202 clearly suggests that a great deal more should have been fairly considered, but yet was not.

Part C of said report suggested that there was a need for education, job training, and continued treatment-----and yet such a suggestion is a subjective falsehood that greatly diminishes the efforts I have made to better myself, and in fact is a derogatory insult to the accomplishments I've achieved---and quite honestly I fail to see how that's in my best interest or societies. The list of accomplishments the board has refused to acknowledge or consider is as follows: Not only did I complete the court ordered group SOP 1, and SOP 2---I also volunteered for and completed SOP 3 (which is after care) and in addition acted as a group facilitator and mentor; I completed anger management on 2 separate occasions, and was a group mentor for years; I completed ADSP, and was a group facilitator for 3 years; I completed chemical dependency, and was a psych tech aid for the group for 4 1/2 years; I completed MRT; and I completed CP&R. In addition I completed vocational training for small engine repair, welding, and automotive electrical. I enrolled in and achieved 3 letters of credit from the university of Great Falls before the program was discontinued. I received certification as a forklift operator, and as a personal physical fitness trainer. I completed life skills, and became a mentor for the group. I completed parenting classes, and became a mentor for the group. And finally I was in fact accepted as a candidate for the re-entry program.

The boards summary and recommendation goes on to give a very distorted rendition of the alleged events of the crimes I was sent to prison for, and in fact makes assertions that were never established in a court of law pursuant to the clear mandates of due process. In fact the record contains evidence for which proves the worst of the boards rendition could not have happened in reference to the false allegations of rape.

It is my assertion that for the board to classify unsubstantiated police incident reports as court documents beyond reproach demonstrates extreme prejudice in conjunction with a severe lack of sound factual review.

I hereby propose that the boards March 2009 decision to deny me parole based solely upon a distorted and unsubstantiated version of events in relation to the nature/severity of offenses without more is in fact a clear violation of the statutory language and intent of MCA 46-23-202.

For the foregoing reasons I ask that the board set this matter for re-hearing.

Sincerely: Clive Wellington Kinlock

Clive Wellington Kinlock 7/7/11



BOARD OF PARDONS AND PAROLE

1002 Hollenbeck Road – Deer Lodge Montana

TO: Kinlock, Clive

No: 32704

Date: 7-28-2011

The State of Montana Board of Pardons and Parole has, in regular session, taken the following action in your case:

The Board has considered and reviewed all the information you have submitted pertaining to your request for early review and has determined that your request be denied. The Board was aware at the time of your hearing of your treatment accomplishments, housing unit/work evaluations, and institutional adjustment and chose to deny your application for parole and schedule you for a re-appearance in March, 2017. The Board is not willing to consider any form of release prior to your next appearance date of March, 2017

By:


Board Member

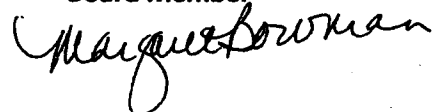
By:

Board Member

By:

Board Member

CC: BOPP, Records, Inmate, IPPO's


Margaret Brown